

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FORM

Owner(s) of Record:

VALDEMIRO MARTINS; EVA MARTINS

S008009

2006, 2007, 2008

Notifying the Division of Water Rights of ownership or address changes is the responsibility of the claimant

Please Complete and Return This Form by JULY 1, 2009

Primary Contact:  
VALDEMIRO MARTINS  
3655 GATES RD  
MODESTO, CA 95351

Agent:  
Address:

Phone No.  
Fax No.  
E-mail Address:

Phone No.  
Fax No.  
E-mail Address:

Source Name: STANISLAUS RIVER

Tributary To:

County: Stanislaus

Diversion within: NE 1/4 of SE 1/4 Section 10, T 3 S, R 7 E, MDB&M

Year of First Use: 1904

Name of Diversion works:

Assessor Parcel Number  
of the Diversion site:

A. Water is Used Under: Riparian claim ☒ Pre-1914 claim ☒ Court Decree No.: \_\_\_\_\_ Other (explain): \_\_\_\_\_

B. Year of First Use: (Please provide if missing in the Division of Rights database (owrims)) \_\_\_\_\_

C. Rate of Diversion: The rate of diversion of water for each month used and entered in the table below is shown in units of:  
Gallons per minute (gpm) \_\_\_\_\_ Gallons per day (gpd) \_\_\_\_\_ Cubic feet per second (cfs) ☒

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Average Rate
2006			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	UNK
2007			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	UNK
2008			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	UNK

D. Quantity of Water Used: The quantity of water used each month and entered in the table below is shown in units of:  
Gallons \_\_\_\_\_ Million Gallons (MG) \_\_\_\_\_ Acre-feet (AF) ☒

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2006			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	UNK
2007			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	UNK
2008			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	UNK

E. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 375 acres; Stockwatering 40042; Domestic \_\_\_\_\_  
Other (specify) \_\_\_\_\_

Parcel Number(s) of Place of Use: 0012-0021-5,14,15,12

F. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed.  
(New pump, enlarged diversion dam, location of diversion, etc.)

G. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ☒ NO ☐

Describe any water conservation efforts you have initiated:

Good Irrig. Methods

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

Reduction in consumptive use:  
Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES \_\_\_\_\_ NO \_\_\_\_\_

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES \_\_\_\_\_ NO \_\_\_\_\_
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:  
Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

State the type of substitute water supply: \_\_\_\_\_

Amount of substitute water supply used:  
Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES \_\_\_\_\_ NO \_\_\_\_\_

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_\_ NO \_\_\_\_\_
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:  
Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)  
I have data to support the above surface water use reductions due to the use of groundwater. YES \_\_\_\_\_ NO \_\_\_\_\_

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: \_\_\_\_\_, 20\_\_\_\_\_ at \_\_\_\_\_, California

SIGNATURE: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_  
(first name) (middle initial) (last name)

COMPANY NAME: \_\_\_\_\_

ITEM \_\_\_\_\_ If there is insufficient space for your answers, please use the space provided below or add an attachment sheet.  
CONTINUATION

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. After the formation of the California Water Commission back on December 19, 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FORM

Owner(s) of Record:

VALDEMIRO MARTINS; EVA MARTINS

Primary Contact:  
VALDEMIRO MARTINS  
3655 GATES RD  
MODESTO, CA 95351

Phone No.

Fax No.

E-mail Address:

Source Name: STANISLAUS RIVER

Tributary To:

County: Stanislaus

Diversion within: NE 1/4 of SE 1/4 Section 10, T 3 S, R 7 E, MDB&M

Roger Beeman  
1352 Sacramento St.  
Escalon, CA 95320  
209-838-7393

athlet:bees@sbcglobal.net

Agent:  
Address:

Phone No.

Fax No.

E-mail Address:

Notifying the Division of Water Rights of ownership or address changes is the responsibility of the claimant

Please Complete and Return This Form by JUL 31, 2009

S008009  
2006, 2007, 2008  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
SACRAMENTO

Year of First Use: 1904

Name of Diversion works:

Assessor Parcel Number  
of the Diversion site:

A. Water is Used Under: Riparian claim ☒ Pre-1914 claim ☒ Court Decree No.: \_\_\_\_\_ Other (explain): \_\_\_\_\_

B. Year of First Use: (Please provide if missing in the Division of Rights database (ewrims)) 1904

C. Rate of Diversion: The rate of diversion of water for each month used and entered in the table below is shown in units of:  
Gallons per minute (gpm) \_\_\_\_\_ Gallons per day (gpd) \_\_\_\_\_ Cubic feet per second (cfs) not measured

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Average Rate
2006													
2007													
2008													

D. Quantity of Water Used: The quantity of water used each month and entered in the table below is shown in units of:  
Gallons \_\_\_\_\_ Million Gallons (MG) \_\_\_\_\_ Acre-feet (AF) \_\_\_\_\_

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2006													
2007													
2008													

E. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation ~ 450 acres; Stockwatering \_\_\_\_\_; Domestic \_\_\_\_\_  
Other (specify) \_\_\_\_\_

Parcel Number(s) of Place of Use: 012001003000 012021007000 012001001000

F. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed:  
(New pump, enlarged diversion dam, location of diversion, etc.)  
river pump - well

G. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ☒ NO ☐  
Describe any water conservation efforts you have initiated: good irrigation practices  
micro sprinklers

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved: No

Reduction in Diversions: unknown  
Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

This information is in regards to the Koetitz Ranch at 9421 Bacon Rd, Modesto, CA - Stanislaus County - abutting the Stanislaus River. The property is lease to David Celli (~ 123 acres of almonds) and Val Martins (~ 98 acres dairy fodder). Martins also irrigates an additional 108 <sup>contiguous</sup> acres from the same river pump. There is another 35 (approx.) acres of river bottom under federal easement. ADDS  
Evens from 9/24/09

Reduction in consumptive use:  
Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES \_\_\_\_\_ NO   X  

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES \_\_\_\_\_ NO   X
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:  
Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

State the type of substitute water supply: \_\_\_\_\_

Amount of substitute water supply used:  
Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES \_\_\_\_\_ NO \_\_\_\_\_

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES   X   NO \_\_\_\_\_
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:  
Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES \_\_\_\_\_ NO \_\_\_\_\_

I understand that it may be necessary to document the water savings claimed in "F" above, if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 6/15, 2009 at Escalon, California

SIGNATURE: [Signature]

PRINTED NAME: Roger K. Beeman  
(first name) (middle initial) (last name)

COMPANY NAME: Koetitz Ranch

ITEM \_\_\_\_\_

If there is insufficient space for your answers, please use the space provided below or add an attachment sheet.  
CONTINUATION

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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# DIVISION OF WATER RIGHTS

## STATEMENT OF WATER DIVERSION AND USE ROUTE SLIP FOR AN INACTIVE/REVOKED DIVERSION OF WATER

STATEMENT # S 008008

CLAIMANT Leslie E Townsend DATE RECEIVED 4/10/07

DATE	INITIALS	ROUTE	TASKS
5/5/07	an	1. Data Management Unit (DMU) Staff	<p><b>a. Voluntary request for inactive/revoked status</b>  <input type="checkbox"/> Yes, Go to step 3</p> <p><b>b. Review basis for returned correspondence</b>  <input type="checkbox"/> Forwarding address expired  <input checked="" type="checkbox"/> No such address, undeliverable as addressed  <input checked="" type="checkbox"/> Unclaimed and no forwarding address</p> <p><b>c. Determine claimant's current mailing address</b>  <input type="checkbox"/> Called the telephone number in WRIMS  <input checked="" type="checkbox"/> Parcel Quest  <input checked="" type="checkbox"/> Internet search tools (i.e. Google, Yahoo, AT&amp;T, 411,)</p> <p><b>d. Address Change</b>  <input type="checkbox"/> Yes, mail correspondence to new address Go to step 2  <input checked="" type="checkbox"/> Check on related water rights in WRIMS requiring a BOE change <i>then</i>  <input type="checkbox"/> Send a memorandum to the Fee Unit for a BOE change if applications are held by Statement holder  <input checked="" type="checkbox"/> No, prepare the Inactive Status Memorandum  <input checked="" type="checkbox"/> Prepare associated documentation to be filed down in the file folder Go to step 3</p> <p><b>e. Ownership Change</b>  <input type="checkbox"/> Yes, prepare the Statement Ownership Transfer Letter  <input type="checkbox"/> Check on related water rights in WRIMS requiring a BOE change requirement  <input type="checkbox"/> Send copy of memorandum to the Fee Unit for a BOE change if applications are held by Statement holder  <input type="checkbox"/> Prepare associated documentation to be filed down in the file folder Go to step 2</p>
		2. Secretary	<input type="checkbox"/> Mail correspondence (step 1d.) <input type="checkbox"/> Mail Statement Ownership Transfer Letter (step 1e)
5/5/07	in	3. DMU Staff	<input checked="" type="checkbox"/> Update WRIMS to show that the Statement is now an inactive/revoked of water, delete name link for mail <input type="checkbox"/> Send a copy of the Inactive Status Memorandum to Fee Unit for any required BOE change <input type="checkbox"/> Enter new mailing address or owner into WRIMS <input type="checkbox"/> File down associated documentation in the file folder (steps 1d & 1e) and send folder to the File room
MAY 29 2007	DA	4. Peer review	<input checked="" type="checkbox"/> DMU staff QC WRIMS entry
		5. Files	File down the route slip and any loose correspondence

# MEMORANDUM

TO: FILE

FROM: WHALEN TOY  
Water Resources Control Engineer  
Data Management Unit - Statement Program  
Division of Water Rights

DATE: May 04, 2007

SUBJECT: UNDELIVERED SUPPLEMENTAL STATEMENT OF WATER  
DIVERSION AND USE (STATEMENT) S008008.

The U. S. Postal Service returned Supplemental Statement S008008 to the Division of Water Rights (Division) as *"not deliverable as addressed, unable to forward."* Division staff subsequently used Parcel Quest™ and/or 411Locate™ on-line services in an attempt to identify current ownership of the diversion property, but were unsuccessful.

The water diverter is responsible for keeping the Division informed of any address or ownership changes. Because Division staff was unable to verify current ownership, S008008 has been designated as an inactive diversion, and has been coded as such in the Division's database. Unless notified by the current owner(s) or their agent, the Division will no longer issue a Supplemental Statement for S008008.

Attachment: Supplemental Statement  
Returned Envelope

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☐ WRIMS update by 

Date 5/5/07

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**Keep on Top of File Folder until Reactivated**

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
P.O. BOX 2000  
SACRAMENTO, CA 95812-2000



UNDELIVERABLE  
AS ADDRESSED  
UNABLE TO FORWARD

PRESORTED  
FIRST CLASS



02 1M  
0004217226 MAR 28 2007  
MAILED FROM ZIP CODE 95814  
\$ 00.371

-- RETURN TO SENDER --

- |         |   |         |
|---------|---|---------|
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| ( ) ILL | <input checked="" type="checkbox"/> UTF | ( ) UNC |
| ( ) DIS | ( ) DEC                                 | ( ) VAC |
| ( ) IA  | ( ) NMR                                 |         |
| ( ) NSN | ( ) REF                                 |         |

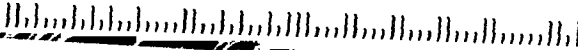
LESLIE E TOWNSEND  
STAR ROUTE  
CECILVILLE, CA 96018

XX 03-29-07-SAC CA 95814

S008008

NIXIE 957 1 21 04/03/07  
RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD  
BC: 95812200000 \*3524-01004-29-19

958122000



**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**  
If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year

Please Complete and Return this Form by **JULY 1, 2007**

Primary Owner: **LESLIE E TOWNSEND**

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING  
**LESLIE E TOWNSEND**  
**STAR ROUTE**  
**CECILVILLE, CA 96018**

STATEMENT NO.: **S008008**  
CONTACT PHONE NO.:

Source Name: **LONG GULCH**  
Tributary To: **SOUTH FORK SALMON RIVER**  
County: **Siskiyou**  
Diversion Within: **SE¼ of NE¼ Section 34 T38N, R11W, MB&M**

Year of First Use: **1948**  
Parcel Number:

- A. **Water is Used Under:** Riparian claim \_\_\_\_\_ Pre-1914 right \_\_\_\_\_ Other (explain): \_\_\_\_\_
- B. **Year of First Use:** (Please provide if missing above) \_\_\_\_\_
- C. **Amount of Use:** Enter the amount (or the approximate amount) of water used each month, using the table below.

Amounts below are in: Gallons \_\_\_\_\_ Million Gallons (MG) \_\_\_\_\_ Acre-feet (AF) \_\_\_\_\_ Other \_\_\_\_\_

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2004													
2005													
2006													

- D. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.  
Irrigation \_\_\_\_\_ acres; Stockwatering \_\_\_\_\_; Domestic \_\_\_\_\_;  
Other (specify) \_\_\_\_\_
- E. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.  
(New pump, enlarged diversion dam, location of diversion, etc.)  
\_\_\_\_\_
- F. Please answer only those questions below which are applicable to your project.
1. Conservation of water
- a. Are you now employing water conservation efforts? YES \_\_\_\_ NO \_\_\_\_  
Describe any water conservation efforts you have initiated: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved.  
Reduction in Diversions.  
Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG)  
Reduction in consumptive use:  
Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG)  
I have data to support the above surface water use reductions due to conservation efforts. YES \_\_\_\_ NO \_\_\_\_



2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree, which unreasonably affects such water for other beneficial uses? YES \_\_\_\_ NO \_\_\_\_.
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:

Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG)

State the type of substitute water supply: \_\_\_\_\_

Amount of substitute water supply used:

Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES \_\_\_\_ NO \_\_\_\_.

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_ NO \_\_\_\_.
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES \_\_\_\_ NO \_\_\_\_

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_, California

SIGNATURE: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_  
(first name) (middle initial) (last name)

COMPANY NAME: \_\_\_\_\_

If there is insufficient space for your answers, please use the space provided below.

ITEM

CONTINUATION


GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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# State Water Resources Control Board



**Linda S. Adams**

Secretary for  
Environmental Protection

## Division of Water Rights

1001 I Street, 14<sup>th</sup> Floor ♦ Sacramento, California 95814 ♦ 916.341.5300

P.O. Box 2000 ♦ Sacramento, California 95812-2000

Fax: 916.341.5400 ♦ [www.waterrights.ca.gov](http://www.waterrights.ca.gov)

**Arnold Schwarzenegger**  
Governor

### TO ALL WATER USERS FILING SUPPLEMENTAL STATEMENTS OF WATER DIVERSION AND USE MARCH 2007

Enclosed is your Supplemental Statement of Water Diversion and Use form (Supplemental Statement) for the years **2004, 2005, and 2006**. All Supplemental Statements should be completed and postmarked no later than **JULY 1, 2007** for delivery to the State Water Resources Control Board, Division of Water Rights (Division). Please review the information in the upper half of the enclosed Supplemental Statement(s) and make any corrections or additions in red ink or pencil (e.g., corrections to current ownership, address, phone number, agent, etc.) so that the Division's database record(s) can be updated.

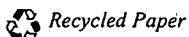
A separate Statement of Water Diversion and Use form is required for each point of diversion. If the location of the existing point of diversion, as identified on the Supplemental Statement form, has changed, please identify the new location. However, if you have developed a new point of diversion, in addition to the existing point of diversion, please contact the Division for a separate form to record the new diversion.

If you do not file a Supplemental Statement, your use will be considered inactive and it will be recorded as such in the Division's database, and the Division will no longer mail you Supplemental Statements. If you wish to reactivate an inactive Statement in order to record your diversion and use of water, please contact the Division.

If you have any questions or need assistance, please contact me at (916) 341-5376 or at [brigby@waterboards.ca.gov](mailto:brigby@waterboards.ca.gov).

**BILL RIGBY**  
Engineering Associate  
Data Management Unit

*California Environmental Protection Agency*



5-8009

\*\*\* PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS \*\*\*

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATEMENT NO: S008009  
OWNER OF RECORD: BERNARD J WEND

BERNARD J WEND  
10101 BECKWITH ROAD  
MODESTO, CA 95350

SOURCE: STANISLAUS RIVER  
TRIBUTARY TO: SAN JOAQUIN RIVER  
COUNTY: STANISLAUS

DIVERSION  
WITHIN: NE¼ OF SE¼ SECTION 10, T3S, R7E, MDB&M.

STATE WATER CONTROL BOARD  
DIV. OF WATER RIGHTS  
SACRAMENTO  
1995 APR 24 PM 1:11  
TELEPHONE NUMBER: (209) 545-0992  
YEAR OF FIRST USE: 1904  
PARCEL NO: 012-2106763

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

COMPLETE AND RETURN THIS FORM BY JULY 1, 1995

A. Water is used under: Riparian claim ☒; Pre 1914 right ☐; Other (explain) ☐

B. Year of first use (Please provide if missing above) 1904

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) ☐

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1992			✓	✓	✓	✓	✓	✓	✓	✓			
1993													
1994													

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.  
Irrigation 560 acres; Stockwatering ☐; Domestic ☐  
Other (specify) ☐

\*\*\* CONTINUE ON BACK PAGE \*\*\*

\*\*\* PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS \*\*\*

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

NONE

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

NONE

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 4-17, 1995, at 10101 Beckwith Rd. Modesto, California 95358  
SIGNATURE: Bernard J. Wend  
PRINTED NAME: BERNARD (FIRST NAME) JOHN (M. NAME) WEND (LAST NAME)  
COMPANY NAME:

#### GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Statements of Water Diversion and Use"  
"Information Pertaining to Water Rights in California"  
"Water Rights for Stockponds Constructed Prior to 1969"  
"Appropriation of Water in California"

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
P.O. Box 2000  
Sacramento, CA 95812-2000

STATEMENT OF WATER DIVERSION AND USE  
INFORMATION SHEET

STATEMENT NO. 5008009  
DIVERSION SITE:  
OWNER'S NAME BERNARD John WEND  
(FIRST) (MIDDLE) (LAST)  
PARCEL NO. 012-2106-763

PLACE OF USE:  
OWNER'S NAME BERNARD John WEND  
(FIRST) (MIDDLE) (LAST)  
1. PARCEL NO. 012-2106-763  
2. PARCEL NO. \_\_\_\_\_  
3. PARCEL NO. \_\_\_\_\_

PERSON OR FIRM TO RECEIVE ALL CORRESPONDENCE AND SUPPLEMENTAL  
STATEMENTS:

OWNER/LESSEE/AGENT/OTHER  
NAME BERNARD John WEND  
(FIRST) (MIDDLE) (LAST)  
MAILING ADDRESS 10101 Beckwith Rd  
MODESTO CA 95358  
(CITY) (STATE) (ZIP)  
TELEPHONE NO. (209) 545 - 0992

OTHERS USING ABOVE DIVERSION LOCATION:

1. NAME BERNARD John WEND  
(FIRST) (MIDDLE) (LAST)  
MAILING ADDRESS 10101 Beckwith Rd.  
MODESTO CA 95358  
(CITY) (STATE) (ZIP)  
TELEPHONE NO. (209) 545 - 0992  
2. NAME \_\_\_\_\_  
(FIRST) (MIDDLE) (LAST)  
MAILING ADDRESS \_\_\_\_\_  
(CITY) (STATE) (ZIP)  
TELEPHONE NO. ( ) -

☐ ADDITIONAL INFORMATION CONTINUED ON BACK OF PAGE OR ATTACHED

PLEASE USE THE OTHER SIDE TO PROVIDE THE ABOVE INFORMATION FOR  
ADDITIONAL OWNERS OR PLACES OF USE AND CHECK THE ADDITIONAL  
INFORMATION BOX.

STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
STATEMENT OF WATER DIVERSION AND USE

Telephone  
AC 209  
545-0992  
8009

This statement should be typewritten or legibly written in ink.

- A. Name of person diverting water Bernard J. Wind  
Address 10101 Beckwith Rd. Modesto, California  
B. Name of body of water at point of diversion Stanislaus River  
Tributary to Melinos Dam  
C. Place of diversion NE 1/4 SE 1/4 Section 10, Township 35, Range 7E, MD B&M, Stanislaus County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks. see memo rec 10-2-72

- D. Name of works 60 horse pump  
E. Capacity of diversion works 4800 gallons per minute cubic feet per second  
Capacity of storage reservoir \_\_\_\_\_ gallons per minute  
State quantity of water used each month in gallons or acre-feet \_\_\_\_\_ gallons  
acre-feet

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc. 600 Acres

300 Acres Alfalfa, 300 Acres Corn & Soy  
Maximum annual water use in recent years 30 million gallons

Minimum annual water use in recent years \_\_\_\_\_ gallons  
acre-feet

Type of diversion facility: gravity \_\_\_\_\_, pump ☒  
Method of measurement: weir \_\_\_\_\_, flume \_\_\_\_\_, electric power meter \_\_\_\_\_, water meter \_\_\_\_\_, estimate ☒

- F. Purpose of use (what water is being used for) Agricultural

- G. General description or location of place of use (use sketch of section grid on reverse side if you desire) 10101 Beckwith Rd. on the End of Stanislaus River

- H. Year of first use as nearly as known 1904  
I. Name of person filing statement Bernard J. Wind  
Position Owner Organization Northgate Farms  
Address 10101 Beckwith Rd.

I certify that the foregoing statements are true and correct to the best of my knowledge and belief

Date signed 9-5-72 Signature Bernie J. Wind

WRCB 40 (12-67)

See Instructions on Reverse Side

Stream Code 5-013-00-00-0

II-11

10282-087 11-07 10M 11-07